

## **CHAPTER 11.04**

### **EQUAL ACCOMMODATIONS AND CONSTITUTIONAL RIGHTS**

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#### **11.04.010 Full and Equal Enjoyment of Place of Public Accommodation.**

All persons within the City of Lincoln shall be entitled to a full and equal enjoyment of any place of public accommodation, as defined in Section 11.01.010 without discrimination or segregation on the grounds of race, color, sex, religion, national origin, ancestry, disability, or marital status. Every totally or partially blind person shall have the right to be accompanied by a dog guide, especially trained for the purpose, in any place of public accommodation without being required to pay an extra charge for the dog guide. (Ord. 13793 §4; March 26, 1984: prior Ord. 12849 §14; February 19, 1980: Ord. 12621 §5; July 2, 1979: Ord. 12151 §8; November 21, 1977: Ord. 10917 §2; October 1, 1973).

#### **11.04.030 Refusal, Withholding From, or Denial of, Public Accommodations; Unlawful.**

Any person who directly or indirectly refuses, withholds from, denies or attempts to refuse, withhold, or deny to any person the accommodations, advantages, facilities, services, or privileges otherwise available in a place of public accommodation on the basis of race, color, sex, religion, national origin, ancestry, disability, or marital status shall be guilty of discriminatory practice and shall be subject to the penalties set forth in this title. (Ord. 17030 §1; July 15, 1996: prior Ord. 13793 §5; March 26, 1984: Ord. 12849 §15; February 19, 1980: Ord. 12151 §9; November 21, 1977: Ord. 10917 §2; October 1, 1973).

#### **11.04.040 Aiding, Abetting, Inciting, Compelling, or Coercing Violation; Unlawful.**

It shall be unlawful for any person to aid, abet, incite, compel, or coerce any activity prohibited by the provisions of this chapter or attempt to so aid, abet, incite, compel, or coerce any such prohibited activity. (Ord. 12849 §16; February 19, 1980: prior Ord. 12621 §6; July 2, 1979: Ord. 10917 §2; October 1, 1973).

**11.04.050      Retaliation or Discrimination Because of Assisting in Enforcement of This Chapter; Unlawful.**

It shall be unlawful for any person to in any manner retaliate or discriminate against any person who has opposed any activity prohibited by the provisions of this chapter or who has testified, assisted, or participated in any manner in any investigation, proceeding, or hearing conducted pursuant to this chapter. (Ord. 10917 §2; October 1, 1973).

**11.04.060      Religious Organization Exempt; Conditions.**

Any place of public accommodation owned by or operated on behalf of a religious corporation, association, or society which gives preference in the use of such place to members of the same faith as that of the administering body shall not be guilty of discriminatory practice. (Ord. 10917 §2; October 1, 1973).

**11.04.070      Private Clubs Exempt; Conditions.**

The provisions of this chapter shall not apply to a private club or other establishment not in fact open to the public, except to the extent that facilities of such establishments are made available to the customers or patrons of an establishment within the scope of public accommodation as defined in Section 11.01.010. (Ord. 12621 §7; July 2, 1970; prior Ord. 10917 §2; October 1, 1973).

**11.04.080      Resisting, Preventing, Impeding, or Interfering with Commission or Its Representatives in Performance of Duty; Unlawful; Penalty.**

Any person or place of public accommodation who or which shall willfully resist, prevent, impede, or interfere with the commission or any of its members or representatives in the performance of duty under this chapter, or shall willfully violate an order of the commission shall, upon conviction thereof, be imprisoned in the city jail for not more than thirty days, or be fined not more than \$100.00, or be both so fined and imprisoned. Procedure for the judicial review of an order of the commission shall not be deemed to be such willful conduct. (P.C. §11.04.130; Ord. 10917 §2; October 1, 1973).